



27 APR 2007

Jordan and Hamburg, LLP
122 East 42nd Street
Suite 4000
New York, NY 10168

In re Application of
MAI, et al.

U.S. Application No.: 10/578,047

PCT No.: PCT/DE04/02436

Int. Filing Date: 29 October 2004

Priority Date: 31 October 2003

Atty Docket No.: F-9089

For: METHOD AND DEVICE FOR ION BEAM
PROCESSING OF SURFACES

COMMUNICATION

This application is before the Office of PCT Legal Administration for issues arising under 35 U.S.C. 371.

BACKGROUND

On 29 October 2004, applicant filed international application PCT/DE04/02436, which claimed priority of an earlier application filed 31 October 2003. A copy of the international application was communicated to the United States Patent and Trademark Office from the International Bureau on 12 May 2005. Pursuant to 37 CFR 1.495, the deadline for payment of the basic national fee in the United States was to expire 30 months from the priority date, 30 April 2006.

On 01 May 2006, applicant filed a transmittal letter for entry into the national stage in the United States, which was accompanied by the requisite basic national fee as required by 35 U.S.C. 371(c)(1).

On 18 April 2007, applicant was mailed a NOTIFICATION OF ABANDONMENT (Form PCT/DO/EO/909) informing applicant that the above-identified application was abandoned as to the United States for failure to provide the Full U.S. Basic National Fee by 30 months (37 CFR 1.495(b)(2)).

DISCUSSION

As 30 April 2006 was a Sunday and the Office was closed, applicant's payment of the Full U.S. Basic National Fee on 01 May 2006 is considered timely filed.

CONCLUSION

The Form PCT/DO/EO/909 mailed 18 April 2007 are hereby **VACATED**.

This application is being returned to the DO/EO/US for processing in accordance with this decision; specifically the preparation and mailing of a Notification of Missing Requirements (Form PCT/DO/EO/905) indicating that an executed oath or declaration of the inventors and English translation of the international application is required.



Derek A. Putonen
Attorney Advisor
Office of PCT Legal Administration
Tel: (571) 272-3294
Fax: (571) 273-0459